

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1283 of 1996

in

SPECIAL CIVIL APPLICATION No 1948 of 1995

For Approval and Signature:

Hon'ble ACTING CHIEF JUSTICE MR CK THAKKER and  
MR.JUSTICE M.C.PATEL

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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GUJARAT UNIVERSITY

Versus

NIKUNJ MOHANLAL JETHVA

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Appearance:

MR NV ANJARIA for Mr.S.N. Shelat, for Appellant  
TANNA ASSOCIATES for Respondent No. 1

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CORAM : ACTING CHIEF JUSTICE MR CK THAKKER and  
MR.JUSTICE M.C.PATEL

Date of decision: 06/03/99

ORAL JUDGEMENT: (Per C.K. Thakkar, Acting C.J.)

When this Appeal...

1996, the following order was passed :-

" Admitted.

Learned counsel Mr.B.P. Tanna waives notice of admission on behalf of Respondent No.1.

Office is directed to place the appeal for final hearing on February 3, 1997...."

It appears that, thereafter, the matter could not be placed for hearing for some time. The matter is placed for final hearing, and Mr.Nilay V. Anjaria for Mr.S.N. Shelat, learned counsel for the appellant, states that the University is agreeable to pass the order with regard to imposition of penalty of debarring the respondent-original petitioner from appearing in any of the examinations of the Gujarat University upto 30th June, 1999, instead of the order passed, imposing penalty debarring him from appearing in any of the examinations of the University till June 30, 2003.

The learned counsel for the respondent-original petitioner has no objection if the penalty is reduced and the petitioner will be debarred from appearing in any of the examinations upto 30th June, 1999.

In view of the above statement, this appeal deserves to be disposed of and is accordingly disposed of. The petitioner - respondent herein will be debarred from appearing in any of the examinations upto 30th June, 1999 and not 30th June, 2003. If any fresh order would be necessary in pursuance of the above statement and this judgment, the University will take appropriate action immediately.

Appeal is accordingly disposed of. In the facts and circumstances, no order as to costs.

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(apj)